



P53821C

30 November 1999

Applicant: Richard G. Hyatt Jr.

Serial No.: 08/720,070

Filed: 27 September 1996

For: ELECTROMECHANICAL CYLINDER PLUG

Document filed:

1. Fee Transmittal/check(s)(#34173) of \$153.00
2. Substitute Amendment
3. Cover sheet to Examiner Boucher (Faxed)



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FEE TRANSMITTAL

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 Small Entity payments must be supported by a small entity statement,
 otherwise large entity fees must be paid. See Forms PTO/SB/09-12.
 See 37 C.F.R. §§1.27 and 1.28.

Complete If Known

Application Number	08/720,070
Filing Date	27 September 1996
First Named Inventor	Richard G. Hyatt Jr.
Examiner Name	Boucher, D.
Group/Art Unit	3627
Attorney Docket No.	P53821C

TOTAL AMOUNT OF PAYMENT

(\$)153.00

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number: 02-4943
 Deposit Account Number: _____

☐ Charge Any Additional Fee Required Under 37 C.F.R. §1.16 and 1.17. ☐ Charge the Issue Fee Set in 37 C.F.R. §1.18 at the Mailing of the Notice of Allowance.

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FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	760	201	380	Utility filing fee	\$
106	310	206	155	Design filing fee	\$
107	480	207	240	Plant filing fee	\$
108	760	208	380	Reissue filing fee	\$
114	150	214	75	Provisional filing fee	\$

SUBTOTAL (1) (\$)0.00

2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total claims	-20** = 4	x 9	= 36
Independent Claims	-3** = 3	x 39	= 117
Multiple Dependent			=

** or number previously paid, if greater; For Reissues, see below

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	78	202	39	Independent claims in excess of 3
104	260	204	130	Multiple dependent claim, if not paid
109	78	209	39	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)153.00

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge-late filing fee or oath	\$
127	50	227	25	Surcharge-late provisional filing fee or cover sheet	\$
139	130	139	130	Non-English specification	\$
147	2,520	147	2,520	For filing a request for reexamination	\$
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	\$
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	\$
115	110	215	55	Extension for reply within first month	\$
116	380	216	190	Extension for reply within second month	\$
117	870	217	435	Extension for reply within third month	\$
118	1,360	218	680	Extension for reply within fourth month	\$
128	1,850	228	925	Extension for reply within fifth month	\$
119	300	219	150	Notice of Appeal	\$
120	300	220	150	Filing a brief in support of an appeal	\$
121	260	221	130	Request for oral hearing	\$
138	1,510	138	1,510	Petition to institute a public use proceeding	\$
140	110	240	55	Petition to revive - unavoidable	\$
141	1,210	241	605	Petition to revive - unintentional	\$
142	1,210	242	605	Utility issue fee (or reissue)	\$
143	430	243	215	Design issue fee	\$
144	580	244	290	Plant issue fee	\$
122	130	122	130	Petitions to the Commissioner	\$
123	50	123	50	Petitions related to provisional applications	\$
126	240	126	240	Submission of Information Disclosure Statement	\$
581	40	581	40	Recording each patent assignment per property (Times number of properties)	\$
146	760	246	380	Filing a submission after final rejection (37 C.F.R. §1.129(a))	\$
149	760	249	380	For each additional invention to be examined (37 C.F.R. §1.129(b))	\$

Other Fee (specify) _____

Other Fee (specify) _____

** Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$0.00

SUBMITTED BY

Complete (if applicable)

Typed or Printed Name

Robert E. Bushnell, Esq.

Reg. Number

27,774

Signature

Robert E. Bushnell

Date

30 November 1999

Deposit Account User ID

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34173

ROBERT E. BUSHNELL

LAW OFFICES

1522 K ST. N.W. SUITE 300

WASHINGTON, DC 20005-1202

(202) 638-5740

CITIBANK, N.A.

WASHINGTON, DC 20036-0967

(202) 451-2540

11/30/1999

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Assistant Commissioner
of Patent

Washington, D.C. 20231

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P-38210 (small entity)

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MEMO

Serial No. 08/720,070 (extra claims)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Richard G. Hyatt Jr.

Serial No.: 08/720,070 (CPA application) Examiner: BOUCHER, D.

Filed: 27 September 1996 Art Unit: 3627

For: ELECTROMECHANICAL CYLINDER PLUG

SUBSTITUTE AMENDMENT

Assistant Commissioner
for Patents
Washington, D.C. 20231

Sir:

In substitution for Applicant's papers earlier filed on the 6th of October and 17th of November 1999, and in response to the premature Office action dated 17 August 1999 (Paper No. 25), entry of the following amendments, re-consideration and re-examination are respectfully requested.

Folio: P53821C
Date: 11/30/99
I.D.: REB/mf

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IN THE CLAIMS

Please do not cancel any claims, amend Claims 25, 39, 43, 46 and 56, and add Claims 64 through 84, as follows:

1 25. (Thrice Amended) A lock, comprising:

2 a shell containing a hollow recess defining a longitudinal axis and an interior
3 cylindrical surface;

4 a cylinder plug rotatable around said longitudinal axis while resident within said
5 hollow recess;

6 a bar interposed between said shell and said cylinder plug to reciprocate generally
7 along a radial plane between a first position engaging both said shell and said plug while obstructing
8 rotation of said cylinder plug within said recess, and a second position accommodating said rotation,
9 said cylinder plug comprising:

10 a first base and a second base separated by an axial length of said cylinder plug from
11 said first base, said second base bearing means for supporting a cam; and

12 an electrical operator borne by said cylinder plug and rotatable with said cylinder
13 plug, said electrical operator being electrically operable to respond to a control signal by moving
14 between a first orientation and a second and different orientation providing obstruction of said bar.

1 39. (Amended) The lock of claim 25, further comprising:

2 a [basic] logic circuit generating said control signal in response to a comparison

3 between a code set within said logic circuit and a [date] data signal applied to said logic circuit;
4 a conductor provided by said plug, conveying said data signal to said logic circuit;
5 and
6 said electrical operator moving between said second orientation and said first
7 orientation in response to said control signal.

1 43. (Amended) A lock, comprising:

2 a cylinder containing a hollow interior recess defining a longitudinal axis, and bearing
3 a slot within said recess; and

4 a plug rotatable from a rest orientation around said longitudinal axis while resident
5 within said hollow recess relative to said cylinder; and

6 an elongate member positioned between said cylinder and plug while extending into
7 said slot, and providing simultaneous engagement of said cylinder and said plug while said plug
8 remains in said rest orientation;

9 said plug comprising:

10 a first base bearing an orifice spaced-apart from and separated by a mass of
11 said plug from said keyway;

12 a second base separated by an axial length of said plug from said first base,
13 said second base disposed to support a cam, said mass being penetrated by a radially oriented
14 aperture;

15 an exterior surface extending between said first base and said second base;

16 a conductor having a terminal exposed to an exterior of said first base through
17 said orifice;

18 an electronic logic circuit comprising a memory storing a code, said circuit
19 being borne by said plug and coupled to receive data signals via said conductor, said circuit
20 generating control signals in dependence upon a comparison between said code and
21 information borne by said data signal; [and]

22 an electrical operator mounted within said aperture, said operator having a
23 movable member [travelling] traveling in dependence upon said control signals between a
24 first position relative to said exterior surface maintaining said simultaneous engagement and
25 a second and different position relative to said exterior surface accommodating movement
26 between said plug and said cylinder; and

27 a component biasing said movable member to maintain said simultaneous
28 engagement.

1 46. (Amended) A lock, comprising:

2 a shell containing a hollow recess defining a longitudinal axis and an interior
3 cylindrical surface;

4 a cylinder plug rotatable around said longitudinal axis while resident within said
5 hollow recess;

6 a bar borne by said plug and rotatable with said plug relative to said shell, said bar
7 being interposed between said shell and said cylinder plug to reciprocate generally along a radial

8 plane between a first position engaging both said shell and said cylinder plug while obstructing
9 rotation of said cylinder plug within said recess, and a second position accommodating said rotation,
10 said cylinder plug comprising:

11 a first base and a second base separated by an axial length of said plug from said first
12 base, said second base bearing means for supporting a cam; and

13 an electrical operator being electrically operable to respond to an electrical control
14 signal by moving obstructing movement of said bar between said first position and said second
15 position in response to a first state of said control signal and [accommodating] moving within a
16 second and different plane not coextensive with said radial plane in response to application of said
17 control signal to accommodate said movement of said bar in response to a second and different state
18 of said control signal.

1 56. (Amended) A lock, comprising:

2 a shell containing a hollow recess defining a longitudinal axis and an interior
3 cylindrical surface;

4 a plug rotatable around said longitudinal axis while resident within said hollow
5 recess;

6 an elongate member interposed between said shell and said plug to travel generally
7 along a radial direction between a first position engaging both said shell and said plug while
8 obstructing rotation of said plug within said recess, and a second position accommodating said
9 rotation;

10 said plug comprising:

11 a first base perforated by an aperture, and a second base separated by an axial
12 length of said plug from said first base, said second base bearing means for supporting a
13 cam;

14 a logic circuit borne by said plug and rotatable with said plug, conveying said
15 data signal between said aperture to said logic circuit; and

16 an electrical operator responding to said control signals by moving in a second
17 direction not aligned with said radial direction between a first orientation obstructing said
18 travel and relative operable movement between said shell and said plug while said electrical
19 operator is contained wholly within said plug, and a second and different orientation
20 accommodating said travel and said relative operable movement between said shell and said
21 plug.

1 --64. A lock, comprising:

2 a shell containing a hollow recess defining a longitudinal axis and an interior
3 cylindrical surface;

4 a cylinder plug rotatable around said longitudinal axis while resident within said
5 hollow recess, said cylinder plug comprising a first base and a second base separated by an axial
6 length of said cylinder plug from said first base, said second base bearing means for supporting a
7 cam;

8 a bar interposed between said shell and said cylinder plug to travel generally along

9 a radial plane between a first position engaging both said shell and said plug while obstructing
10 rotation of said cylinder plug within said recess, and a second position accommodating said rotation;

11 a logic circuit generating an electrical control signal in response to a comparison
12 between a code set within said logic circuit and a data signal applied to said logic circuit;

13 an electrical conductor provided by said plug, conveying said data signal to said logic
14 circuit; and

15 an electrical operator borne by said cylinder plug and rotatable with said plug, said
16 electrical operator being electrically operable to respond to said control signal by moving between
17 a first orientation providing obstruction of said travel and a second and different accommodating said
18 travel.

1 --65. A lock, comprising:

2 a shell containing a hollow recess defining a longitudinal axis and an interior
3 cylindrical surface;

4 a cylinder plug rotatable around said longitudinal axis while resident within said
5 hollow recess, said cylinder plug comprising a first base and a second base separated by an axial
6 length of said cylinder plug from said first base, said second base bearing means for supporting a
7 cam;

8 a bar interposed between said shell and said cylinder plug to travel generally along
9 a radial plane between a first position engaging both said shell and said plug while obstructing
10 rotation of said cylinder plug within said recess, and a second position accommodating said rotation;

11 a logic circuit generating a control signal in response to a comparison between a code
12 set within said logic circuit and a data signal applied to said logic circuit;

13 an electrical conductor provided by said plug, conveying said data signal to said logic
14 circuit; and

15 an electrical operator comprising an armature, said armature being borne by said
16 cylinder plug and rotating around said longitudinal axis with said plug, said electrical operator being
17 electrically operable to respond to said control signal by moving between a first orientation
18 providing obstruction of said travel and a second and different orientation accommodating said
19 travel.

1 --66. The lock of claim 65, with said electrical operator further comprising a coil of an
2 electrically conducting material that is borne by said cylinder plug and wound to drive said armature
3 to move from one of said first and second orientations to the other of said first and second
4 orientations in response to said control signal.

1 --67. The lock of claim 65, with said electrical operator further comprising a coil of an
2 electrically conducting material that is borne by said cylinder plug and wound to drive said armature
3 to move from said first orientation to said second orientation in response to said control signal.

4 --68. The lock of claim 65, with electrical operator further comprising a coil of an
5 electrically conducting material that is borne by said cylinder plug and wound to drive said armature

6 to rotate around an arc in response to said control signal.

1 --69. The lock of claim 65, with said electrical operator further comprising a coil of an
2 electrically conducting material that is borne by said cylinder plug and wound to drive said armature
3 to reciprocate along a radial axis that is transverse to said radial plane in response to said control
4 signal.

1 --70. A lock, comprising:

2 a shell containing a hollow recess defining a longitudinal axis and an interior
3 cylindrical surface;

4 a cylinder plug rotatable around said longitudinal axis while resident within said
5 hollow recess, said cylinder plug comprising a first base and a second base separated by an axial
6 length of said cylinder plug from said first base, said second base bearing means for supporting a
7 cam;

8 a bar interposed between said shell and said cylinder plug to travel generally along
9 a radial plane between a first position engaging both said shell and said plug while obstructing
10 rotation of said cylinder plug within said recess, and a second position accommodating said rotation;

11 a logical circuit generating said control signal in response to a comparison between
12 a code set within said logic circuit and a data signal applied to said logic circuit;

13 an electrical conductor provided by said plug, conveying said data signal to said logic
14 circuit; and

15 an electrical operator borne by said cylinder plug and rotatable with said plug, said
16 electrical operator being electrically operable to respond to an electrical control signal applied to said
17 electrical operator by moving along a geometrical construct other than to said radial plane between
18 a first orientation providing obstruction of said travel and a second and different orientation
19 accommodating said travel.

1 --71. The lock of claim 70, with said electrical operator further comprising an armature and
2 a coil of an electrically conducting material that is borne by said cylinder plug and wound to drive
3 said armature to move along said geometric construct in response to said control signal.

1 --72. The lock of claim 70, with said electrical operator further comprising an armature and
2 a coil of an electrically conducting material that is borne by said cylinder plug and wound to drive
3 said armature to move along said geometric construct in response to said control signal from said
4 second orientation to said first orientation.

5 --73. The lock of claim 70, with said geometric construct comprising an arc and said
6 electrical operator further comprising an armature and a coil of an electrically conducting material
7 that is borne by said cylinder plug and wound to drive said armature to rotate around said arc in
8 response to said control signal.

1 --74. The lock of claim 70, with said geometric construct comprising a radial axis that is

2 transverse to said radial plane, and said electrical operator further comprising an armature and a coil
3 of an electrically conducting material that is borne by said cylinder plug and wound to drive said
4 armature to reciprocate along said radial axis in response to said control signal.

1 --75. A lock, comprising:

2 a shell containing a hollow recess defining a longitudinal axis and an interior
3 cylindrical surface;

4 a cylinder plug rotatable around said longitudinal axis while resident within said
5 hollow recess, said cylinder plug comprising a first base and a second base separated by an axial
6 length of said cylinder plug from said first base, said second base bearing means for supporting a
7 cam;

8 a bar interposed between said shell and said cylinder plug to travel generally along
9 a radial plane between a first position engaging both said shell and said plug while obstructing
10 rotation of said cylinder plug within said recess, and a second position accommodating said rotation;

11 a logic circuit generating said control signal in response to a comparison between a
12 code set within said logic circuit and a data signal applied to said logic circuit;

13 an electrical conductor provided by said plug, conveying said data signal to said logic
14 circuit; and

15 an electrical operator borne by said cylinder plug and rotatable with said plug, said
16 electrical operator being electrically operable to respond to said control signal by moving along a
17 radial axis that is transverse to said radial plane, between a first orientation providing obstruction of

18 said travel and a second and different orientation accommodating said travel.

1 --76. A lock, comprising:

2 a shell containing a hollow recess defining a longitudinal axis and an interior
3 cylindrical surface;

4 a cylinder plug rotatable around said longitudinal axis while resident within said
5 hollow recess, said cylinder plug comprising a first base and a second base separated by an axial
6 length of said cylinder plug from said first base, said second base bearing means for supporting a
7 cam;

8 a logic circuit generating said control signal in response to a comparison between a
9 code set within said logic circuit and a data signal applied to said logic circuit;

10 an electrical conductor provided by said plug, conveying said data signal to said logic
11 circuit;

12 an elongate bar exhibiting a greatest longitudinal dimension along a second axis that
13 extends transversely to said first base and to said second base, said bar being interposed between said
14 shell and said cylinder plug to travel generally along a radial axis that is transverse to said second
15 axis, between a first position engaging both said shell and said plug while obstructing rotation of said
16 cylinder plug within said recess, and a second position accommodating said rotation; and

17 an electrical operator borne by said cylinder plug and rotatable with said plug, said
18 electrical operator being electrically operable to respond to said control signal by moving along said
19 radial axis between a first orientation providing obstruction of said travel and a second and different

20 orientation accommodating said travel.

1 --77. A lock, comprising:

2 a shell containing a hollow recess defining a longitudinal axis and an interior
3 cylindrical surface;

4 a cylinder plug rotatable around said longitudinal axis while resident within said
5 hollow recess, said cylinder plug comprising a first base and a second base separated by an axial
6 length of said cylinder plug from said first base, said second base bearing means for supporting a
7 cam;

8 a logic circuit generating said control signal in response to a comparison between a
9 code set within said logic circuit and a data signal applied to said logic circuit;

10 an electrical conductor provided by said plug, conveying said data signal to said logic
11 circuit;

12 an elongate bar exhibiting a greatest longitudinal dimension along a second axis that
13 extends transversely to said first base and to said second base, said bar being interposed between said
14 shell and said cylinder plug to travel generally along a radial axis that is radial to said cylinder plug
15 and transverse to said second axis, between a first position engaging both said shell and said plug
16 while obstructing rotation of said cylinder plug within said recess, and a second position
17 accommodating said rotation; and

18 an electrical operator borne by said cylinder plug and rotatable with said plug, said
19 electrical operator being electrically operable to respond to a control signal by moving between a

20 first orientation providing obstruction of said travel and a second and different orientation
21 accommodating said travel.

1 --78. The lock of claim 25, with said electrical operator further comprising an armature and
2 a coil of an electrically conducting material that is borne by said cylinder plug and wound to drive
3 said armature to move from one of said first and second orientations to the other of said first and
4 second orientations in response to said control signal.

1 --79. The lock of claim 25, with said electrical operator further comprising an armature and
2 a coil of an electrically conducting material that is borne by said cylinder plug and wound to drive
3 said armature to move from said first orientation to said second orientation in response to said
4 control signal.

1 --80. The lock of claim 25, with electrical operator further comprising an armature and a
2 coil of an electrically conducting material that is borne by said cylinder plug and wound to drive said
3 armature to rotate around an arc in response to said control signal.

1 --81. The lock of claim 25, with said electrical operator further comprising an armature and
2 a coil of an electrically conducting material that is borne by said cylinder plug and wound to drive
3 said armature to reciprocate along a radial axis that is transverse to said radial plane in response to
said control signal.

1 --82. The lock of claim 25, further comprised of a component biasing said bar to maintain
2 said first position engaging both said shell and said plug.

1 --83. The lock of claim 25, further comprised of a component biasing said electrical operator
2 to maintain said second orientation providing obstruction of said bar.

1 --84. The lock of claim 25, further comprised of:
2 a first component biasing said bar to maintain said first position engaging both said shell and
3 said plug; and
4 a second component biasing said electrical operator to maintain said second orientation
5 providing obstruction of said bar.

REMARKS

Claims 1 through 84 are pending: claims 25, 39, 43, 46 and 56 are amended while claims 64 through 84 are newly presented.

The request for cancellation in Applicant's paper of the 6th of October erroneously identified the wrong claims for cancellation. It was Applicant's intention to have canceled, among others, non-elected claims 33 and 35, but through typographic error, the amendment inadvertently directed the cancellation of the claims for the proposed interference. To avoid another mistake, this paper is filed in substitution of the papers dated 6 October and 17 November 1999, no claims are canceled and claims 1 through 84 all remain pending. The Examiner's indication of readiness to issue a Declaration of Interference after the conclusion of the current year, is noted with appreciation.

Amended claims 39, 43, 46 and 56, together with newly added claims 64 through 84, define, among other things, the elected species of Figs. 8A through 8G. The Applicant notes that the Examiner had asserted that claims 43 through 45 were withdrawn from consideration; Applicant notes however, that claims 43 and 44 clearly define the elected species, while claim 45 depends upon the more generic parent independent claim 43. Accordingly, claims 43 and 44 must be considered.

Claims 25 through 31, 39 through 42, 46 through 52, 54 and 56 were alternatively rejected under 35 U.S.C. §102(e) as anticipated by, or under 35 U.S.C. §103(a) rendered obvious by,

Gokcebay U.S. 5,552,777. Applicant traverses these rejections for the following reasons.

Each of these claims, together with newly presented claims 64 through 84, define, "*inter alia*," a "bar" interposed between a shell and a cylinder plug, and an "electrical operator". As defined by claim 25, for example, the electrical operator is "electrically operable to respond to a control signal by moving ...". In contradistinction, Gokcebay '777 uses a spring 48 that does not, respond to either a control signal or to any electrical stimulus by moving. The Examiner's attention is directed to the transitive and intransitive sense of the verb "move". In effect, the Examiner is re-writing Applicant's claims to substitute "by being *moved* between" for the express language currently used by these claims of "by *moving* between." This is an impermissible interpretation of Applicant's claims. In both mechanical and electrical analogues, the spring is considered as a passive, rather than an active component; consequently, the spring does not move itself, and must be moved by some external force. Applicant's electrical operator is defined by these claims as "being electrically operable to respond ... by *moving* between ...". These distinctions are significant because they provide Applicant with indirect, rather than direct locking, and a concomitant increase in mechanical advantage to the user of components such as a side bar or detent. These features are utterly lacking from the art represented by Gokcebay '777.

Moreover, the Examiner's interpretation of Gokcebay '777 to identify his spring 48 as something that is "considered electrically operable" is improper, and contrary to the express teachings of Gokcebay '777. In claim 1 of Gokcebay '777, by way of the example, lines 10 through

14 define the spring while lines 21 through 26 define the operator. These components are distinct, serve distinct functions and cannot be twisted, in their meaning, like a nose made of wax, in order to improperly read these components upon Applicant's language.

Even assuming *arguendo* that the Gokcebay '777 blocking pin/armature item 38 is a "bar" instead of an armature and blocking pin, the Examiner's interpretation still has overlooked how the lock of Gokcebay '777 works and how that is different from the pending claims. According to Gokcebay '777, the "compression spring" item 48 is described in "Description of Preferred Embodiments" in Section 6 line 43 as follows: "The small solenoid 36 when powered overcomes the force of the compression spring 48. In section 8, line 21, it reads "When the solenoid is powered the blocking pin 38 will be released ie: retracted, and the operator [a human person] will be able to rotate the key in the lock, since the key bittings will match the bittings in the lock." Line 26 reads "the master ie: the microprocessor 72 sends the unique number again to U1 to turn off U2 and Q1, stopping the current to the solenoid and allowing the compression spring to *push the blocking pin outwardly* when the cylinder plug is returned to the locked position".

Of course the Gokcebay drawings illustrate the blocking pin/armature as being one in the same component, with the spring constituting merely a spring, and not, as was asserted by the Examiner, an "electrical operator".

If the Examiner believes that the "electrical operator" of the pending claims might be read

as the spring of Gokcebay '777 and that the blocking pin of Gokcebay '777 could be read as a "bar" or sidebar, then Gokcebay's spring does not provide "obstruction of said bar" as defined by Applicant's claims because, in fact, the spring provides no obstruction. It does exactly what Gokcebay describes, by biasing the blocking pin outwardly in the same manner as any biasing element, it intrinsically lacks the structure and is inherently devoid of the capacity to "obstruct" the "bar" simply because the same spring must freely and continuously, even in the absence of Applicant's control signal, allow *full* reciprocation of the blocking pin of Gokcebay '777. Spring 48 of Gokcebay '777 is neither able to both concurrently and simultaneously "respond to" Applicant's control signal, provide Applicant's "obstruction of said bar," or be "electrically operable". Consequently, spring 48 cannot be considered to "be electrically operable" as asserted by the Examiner in support of this rejection. Moreover, if spring 48 were "electrically operable to move ...," then solenoid 36 of Gokcebay '777 would have no function. In short, the Examiner must consider "the subject matter" of each of these claims "as whole" in conformance with the requirement of §103, and must recognize that determinations of obviousness require an evaluation of all of the elements of each claim. The Examiner cannot accurately assert that "spring 48" of Gokcebay '777 has all of the characteristics and attributes of "blocking pin 38" of Gokcebay '777 without impermissibly requiring the solenoid 36 and spring 48 to function in a mode that is contrary to the express teachings of Gokcebay '777.

Applicant's notes that newly presented dependent claims 82 through 84 are readily distinguishable from art of records such as Gokcebay U.S. Patent No. 5,552,777, by the presence of


components biasing either the bar or the electrical operator, and that if a spring in Gokcebay '777 is interpreted as constituting an "electrical operator", as is explained in page 5 of the Examiner's comments in Paper No. 25, it would be impossible to interpret Gokcebay '777 or Gokcebay U.S. patent No. 5,367,293 as either anticipating or making a prima facie showing of obviousness. It is these differences in detail, in combination with the elements of the parent claim 25, that advantageously endow Applicant's embodiments with their ability to quickly retrofit in existing cylinder lock with an additional and increased level of security. Accordingly, claims 82 through 84 are in condition for allowance.

In view of the foregoing distinctions, and the advantageous results flowing therefrom, withdrawal of these rejections and allowance of claims 25 through 33, 39 through 56, and newly added claims 64 through 84 is required.

A fee of \$426.00 (**SMALL ENTITY**) was incurred by seventeen (17) extra claims and seven (7) extra independent claims. The check of Applicant's attorney drawn to pay to the order of Commissioner of this amount, was presently paid. This paper incurs a fee of \$153.00 (**SMALL ENTITY**) is incurred by four (4) excessive claims including three (3) independent claims. Applicant's check drawn to the order of Commissioner accompanies this Substitute Amendment. Should the check become lost, should other fees be incurred, the Commissioner is authorized to charge Deposit Account No. 02-4943 of Applicant's undersigned attorney in the amount of such fees.

In view of the foregoing amendments and remarks, all claims are deemed to be in condition for allowance. Entry of these amendments, withdrawal of the single outstanding art rejection and passage of this application to issue is respectfully requested. Should questions remain unresolved however, the Examiner is requested to telephone Applicant's undersigned attorney.

Respectfully submitted,


Robert E. Bushnell,
Attorney for the Applicant
Registration No.: 27,774

1522 "K" Street N.W., Suite 300
Washington, D.C. 20005-1202
(202) 638-5740

Folio: P53821C
Date: 11/30/99
I.D.: REB/mf